

The Congressional International Anti-Piracy Caucus

Senator Gordon H. Smith, Co-Chair
Senator Joseph R. Biden, Jr., Co-Chair



Congressman Bob Goodlatte, Co-Chair
Congressman Adam B. Schiff, Co-Chair

October 12, 2006

President George W. Bush
The White House
Washington, DC 20500

Dear Mr. President:

We are writing to reiterate our conviction that the United States must not conclude a World Trade Organization (WTO) accession agreement with Russia unless and until Russia brings its enforcement regime for intellectual property rights (IPR) into compliance with international norms. This includes ensuring that the country's copyright laws and enforcement systems satisfy the provisions of the WTO TRIPS Agreement.

We have watched with dismay as the Government of Russia has allowed the country's piracy problem to spiral out of control. Unfortunately, this dramatic increase in IPR violations has occurred despite repeated Kremlin promises that Russia would take steps to meet its WTO obligations. Our doubts about the seriousness of Russia's commitment to addressing this problem have been heightened by the Kremlin's continuing support for Part IV of Russia's Civil Code, a legal provision that lacks protection for both foreign and domestic rights holders.

Based on this experience, we believe that the U.S. government cannot rely on the Russian government's declarations that it will improve its enforcement of copyright law unless such assurances are accompanied by concrete actions to combat the rampant spread of copyright piracy. We are confident that Russia could address these problems if the country's leaders decided to prioritize the protection of IPR. However, we have seen little evidence that the Government of Russia views the violation of intellectual property rights as a serious problem requiring urgent action.

We understand that the Administration intends to complete bilateral WTO accession negotiations with Russia by the end of October. We strongly believe that concluding bilateral negotiations with Russia in spite of the Kremlin's continuing unwillingness to protect intellectual property rights will send a harmful message to Moscow and set a terrible precedent for negotiations with other nations that manifest indifference to violations of IPR. We continue to believe that Russia's failure to uphold intellectual property rights will greatly imperil Congressional approval of PNTR for Russia. We encourage your continuing attention to these important issues as the WTO negotiations move forward.

Sincerely,

Senator Joseph R. Biden, Jr.

Senator Gordon H. Smith

Rep. Bob Goodlatte

Rep. Adam B. Schiff